

In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 14121 of 2006

Date of Decision: 05.09.2006

Jai Bhagwan

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Naveen Daryal, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The instant petition is directed against the order dated 31.8.2006 (P-3) transferring the petitioner from Kaithal to Rewari. It is admitted position that the petitioner is a contract employee and has been working at Kaithal. He is also not covered by the transfer policy. Any terms in the contract of employment cannot be enforced by law as it would amount to directing performance of contract of personal service. It is well settled that specific performance of a contract of personal service cannot be decreed and, therefore, there is no ground to interfere in the impugned order dated 31.8.2006 (P-3)

Dismissed.

However, the petitioner may avail any other remedy in accordance with law, if so advised.

(M.M. KUMAR)
JUDGE

September 5, 2006
Pkapoor

(M.M.S. BEDI)
JUDGE